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LETTER DATED 16 NOVEMBER 1992 FROM THE AMBASSADOR OF THE REPUBLIC OF TURKEY TO THE REPUBLIC OF HUNGARY ADDRESSED TO THE CHAIRMAN OF THE COMMISSION ON HUMAN RIGHTS AND LETTER DATED 18 NOVEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS OFFICE AT GENEVA ADDRESSED TO THE UNDER-SECRETARY-GENERAL FOR HUMAN RIGHTS

Written statement submitted by the World Federalist Movement, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[30 November 1992]

1. The World Federalist Movement, concerned with the application of federalist principles at all levels of governance, believes that a wide exchange of views, evidence and documentation is necessary to find peaceful and just solutions to the conflicts in the area of the former Yugoslavia.

2. The movement believes that all significant parties to the conflicts should be present as well as organizations from the area working for the resolution of conflicts. These parties and organizations should be able to present their views and documentation to the special session of the Commission on Human Rights under their own responsibility.

3. If such a policy is not taken by the Commission and only non-governmental organizations in consultative status may speak and present documents, then in recognition of the need for a wide exchange of views, we present the attached document without in any way taking responsibility for the views expressed and the facts presented.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC SRPSKA ON THE ACTIVITIES AND REPORT OF THE SPECIAL RAPPORTEUR OF THE COMMISSION ON HUMAN RIGHTS

Proceeding from the mandate of the Special Rapporteur, as set out in resolution 1992/S-1/1 of the Commission on Human Rights, "to investigate first-hand the human rights situation in the territory of the former Yugoslavia, in particular within Bosnia and Herzegovina, and to receive relevant, credible information on the human rights situation there from Governments, individuals, intergovernmental and non-governmental organizations, on a continuing basis, and to avail himself or herself of the assistance of existing mechanisms of the Commission on Human Rights", we note rightfully that in his third report on the situation in the former Bosnia and Herzegovina, the Special Rapporteur did not fulfil his mandate well.

The shortcomings characterizing the overall activities of the Special Rapporteur are even more obvious in this report than in the previous ones.

1. The Special Rapporteur devotes most of his attention to the situation in the territory controlled by the Serbian authorities the Republic Srpska, whereas he addresses the situation in the territory controlled by the Muslim authorities, and that in the Croatian community of Herzeg-Bosnia only to an insignificant extent and in an extremely partial fashion. The fact that the Special Rapporteur uses categorizations such as "**situation in areas under Government and/or Bosnian Croat control**" on the one hand, and "situation in Serbian-controlled areas" on the other, testifies to the Special Rapporteur's approach to the matter. Putting the word "Bosnian" in front of the word "Croats" shows the intention to hide the fact that the Serbs in question are also "Bosnian", and that they have lived in the former Bosnia-Herzegovina for centuries, and immediately before the civil war represented the majority population in 65 per cent of the territory of Bosnia and Herzegovina. This is aimed at implying that Serbs are some kind of "aggressors" from outside Bosnia and Herzegovina.

2. Basing his findings on indirect sources, drawing the main conclusions from reports of one or two witnesses (always anonymous), or a vague "reliable source" or, quite frequently, arbitrary speculations, the Special Rapporteur accuses Serbs in the former Bosnia and Herzegovina, without any grounds whatsoever, of unheard-of crimes, and above all, of the **systematic** commission of these crimes, which is, undoubtedly, to prove that Serbs planned in advance the destruction of whole nations, an accusation supported by no evidence whatsoever.

3. The Special Rapporteur addresses the violation of human rights and war crimes against the Serbs in the former Bosnia-Herzegovina only to the extent needed to testify to the necessity for Muslims and Croats to resort to these acts, which is sometimes brought to absurdity in this third report. Not a word is mentioned in the report of a huge number of Serbian settlements completely burnt down and destroyed. A large number of Serbs, mostly civilians - women, children and elderly - detained in dozens of Muslim and Croatian prisons, living in unbearable circumstances (tunnels, basements), are hardly mentioned in the report. In the cases when they are mentioned, prison staff is humane and well mannered, and conditions of life close to perfect. The report totally ignores tens of thousands of Serbs, ethnic hostages,

forcefully detained in towns controlled by the Muslim authorities, subject daily to terrible tortures.

4. No mention is made in the report of the fact that the authorities of the Republic Srpska undertook on several occasions legal measures against Serb individuals or groups of individuals, on a charge of using the state of war for the commission of various criminal acts, as well as crimes against civilians and prisoners of war (e.g. the case of the so-called "Zuca's group", arrested three months ago) as well as other measures aimed at the improvement of the state of human rights (especially the unilateral decision on the dismantling of detention camps). In this connection, the statement of Dr. Radovan Karadzic of 19 November 1992, in which he **invites and guarantees safe return to all persons from the territory of the Republic Srpska to their homes, regardless of their national origin**, is especially significant.

5. The report gives a distorted projection of the relations between the Serbian authorities and representatives and officers of international organizations present in the territory of the former Bosnia-Herzegovina. Furthermore, the report neglects the fact that UNPROFOR staff has never been jeopardized by the Serbian side (the UNPROFOR headquarters was even placed and protected in the Serbian barracks in Lukavica near Sarajevo). The report completely ignores the high level of cooperation of the Serbian authorities with regard to the realization of the unilateral decision on the dismantling of detention camps in the territory of the Republic Srpska, for which credit has been given on several occasions to the Serbian side by United Nations High Commissioner for Refugees and International Committee of the Red Cross representatives. The report completely ignores the fact that the army of the Republic Srpska suffered a number of casualties while securing UNHCR humanitarian convoys **intended for the Muslim population.**

6. By giving numerous political qualifications of the situation in the former Bosnia-Herzegovina, especially in paragraph 2 of the report, the Special Rapporteur overstepped in an inadmissible way his mandate under resolution 1992/S-1/1 of the Commission on Human Rights.

7. We cannot but feel that this third report of the Special Rapporteur does not correspond in the least to the importance and seriousness of the Special Rapporteur's mandate on the reputation of the body he represents, and is deprived of a fundamental sense of truth and justice. This is why we reject this report as a whole.

8. Finally, the facts:

(a) The United Nations put itself in the position of both the prosecutor and the judge at the same time, through its various agencies and bodies;

(b) Through an unprecedented media blockade and state censorship, above all in the Western European countries and the United State of America, and though shutting the Serbs off, from all international organizations, Serbs are completely deprived of the right not only to complain against those who are overtly committing genocide against them, but also of the right to self-defence;

(c) Only the Serbian people are denied the right to self-determination, granted to all other peoples of the former Yugoslavia;

(d) There is a wish to expel the Serbian people, under the auspices of the United Nations, from the former Bosnia-Herzegovina where they had lived from time immemorial and represented the absolute majority before the genocide against them in the First and Second World Wars, by insisting on the false premise of the "Serbian aggression in Bosnia-Herzegovina";

(e) It is only against the Serbian people that an unprecedented economic and military blockade is imposed;

(f) The selection of the Special Rapporteur and the toleration of his extreme partiality clearly indicate to us that the Serbian people as a whole is outlawed, and that each State is allowed by the United Nations, the most respected international organization, to treat 12 million Serbs at its discretion, including the possibility of killing them, through unjustified implementation of the relevant provisions of chapter VII of the Charter of the United Nations.